

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERIC X. RAMBERT,	:	CIVIL ACTION
	:	NO. 13-7246
Petitioner,	:	
	:	
v.	:	
	:	
VINCENT T MOONEY, et al.,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this 14th day of **August, 2014**, after careful and independent consideration of the Report and Recommendation¹ of United States Magistrate Judge Thomas J. Rueter (ECF No. 4), and Petitioner's Objections thereto (ECF No. 6) it is hereby **ORDERED** as follows:

- (1) Petitioner's objections to the Report and Recommendation are **OVERRULED**;²

¹ The Court undertakes a de novo review of the portions of the Report and Recommendation to which a party has objected. See 28 U.S.C. § 636(b)(1) (2006 & Supp. V 2011); Cont'l Cas. Co. v. Dominick D'Andrea, Inc., 150 F.3d 245, 250 (3d Cir. 1998). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

² Petitioner filed a five page response objecting to the Report of and Recommendation of Magistrate Judge Rueter. The majority of Petitioner's arguments relate to the merits of Petitioner's habeas petition rather than to Magistrate Judge Rueter's recommendation to transfer Petitioner's habeas petition to the United States District Court for the Western District of Pennsylvania. As such, those arguments are not relevant to the

- (2) The Report and Recommendation is **APPROVED** and **ADOPTED**;³ and
- (3) The petition for a writ of habeas corpus is **TRANSFERRED** to the United States District Court for the Western District of Pennsylvania.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

Report and Recommendation sub judice and the Court need not address them. Petitioner does, however, raise one relevant objection to the Report and Recommendation which the Court addresses below.

Petitioner claims that "this case is based solely on corruption in Allegheny County." Obj. ¶ 3. Therefore, Petitioner alleges that "he cannot get a fair process before Allegheny County judges [because] they are corrupt and will disregard the truth." Obj. ¶ 6.

Petitioner's claims, even if true, do not warrant retaining his case in the Eastern District. Petitioner's habeas petition is being transferred before the judges of the United States District Court for the Western District of Pennsylvania (federal) and not the judges of Allegheny County (state). Therefore, even if Petitioner was correct that the state court judges would be biased against him, it does not impact the consideration he will receive from federal judges. Accordingly, Petitioner's objection is overruled and the case will be transferred.

³ The Court gave careful and independent consideration to the non-objected to portions of the Report and Recommendation and approves and adopts it.